

**MADISON COUNTY BOARD OF SUPERVISORS  
ORGANIZATION – BOARD MEETING  
Tuesday, January 3, 2012**

The Board convened at 2:00 p.m. with all members present except for Supervisor Monforte (144 votes) and Supervisor Coye (21 votes).

Pledge of Allegiance.

Assistant County Attorney Tina Wayland-Smith opened the meeting (filling in for Clerk Urtz) in her absence and called on County Clerk Ken Kunkel and Deputy County Clerk Denise Roe who administered the oath of office to the new Board.

**By Supervisor Suits:**

**RESOLUTION NO. 1-12**

**REQUESTING THE WAIVER OF RULE NO. 24 AND NO. 24-A**

**WHEREAS**, Rule No. 24 requires that all resolutions intended to be moved for adoption at a regular meeting shall be filed with the Clerk not less than seven (7) calendar days prior to the meeting; and

**WHEREAS**, Rule No 24-A requires that all such resolutions be introduced by the Chairman of the Legislative Board having jurisdiction after having been filed with the Chairman at least ten (10) days prior to the meeting at which time it is to be introduced;

**NOW, THEREFORE BE IT RESOLVED**, that Rule No. 24 is hereby waived for the purpose of the introduction of a resolution naming Tina Wayland-Smith to serve as temporary Clerk for this meeting in the absence of Cindy Urtz and for the purpose of the introduction of a resolution authorizing the Chairman of the Board of Supervisors to enter into an Agreement with L. Woerner, Inc. d/b/a HCR; and

**BE IT FURTHER RESOLVED**, that portion of Rule No. 24-A calling for all resolutions to be first filed with the Chairman of the appropriate committee ten (10) days prior to the meeting, is also hereby waived to the extent of such time limitation for the balance of this meeting; providing however, that to the extent not hereby specifically waived all such rules remain in full force and effect.

**ADOPTED: AYES – 1335 NAYS – 0 ABSENT – 165 (Monforte, Coye)**

**RESOLUTION NO. 2-12**

**AUTHORIZING APPOINTMENT OF A TEMPORARY CLERK TO THE BOARD  
OF SUPERVISORS**

**WHEREAS**, the Clerk of the Board of Supervisors, Cindy Urtz in unable to attend the Organization and Board meeting scheduled for January 3, 2012; and

**WHEREAS**, a temporary Clerk of the Board of Supervisors is necessary during her absence;

**NOW, THEREFORE BE IT RESOLVED**, that Tina Wayland-Smith is hereby appointed temporary Clerk to the Board of Supervisors to act in the absence of Cindy Urtz.

**ADOPTED: AYES – 1335 NAYS – 0 ABSENT – 165 (Monforte, Coye)**

**At this time temporary Clerk Wayland-Smith called for nominations for Chairman of the Board for the years 2012-2013.**

**Supervisor Rafte nominated Supervisor Becker, seconded by Supervisor Suites.**

**The Clerk then asked for any further nominations. There being none the Clerk then asked for a motion to close the floor for nominations which was offered by Supervisor Salka, seconded by Supervisor Degear and carried.**

**The Clerk then called for a voice vote for Supervisor John Becker for Chairman which was unanimously carried. Chairman Becker was then asked to take his seat at the dais.**

**Chairman Becker thanked the Board and then recognized the Sheriff's Department – Corrections Division who received a Reaccreditation Award and Certificates presented by the New York State Sheriff's Association. Chairman Becker also gave thanks to E911 Director Paul Hartnett and Deputy Joe Treglia for their work on obtaining a large Statewide Interoperable Communication Grant for Madison County.**

#### **UNFINISHED BUSINESS**

**Resolution No. 522-11 – Amending Rule No. 30 of the Rules of the Madison County Board of Supervisors. TABLED By: Supervisor Cary, seconded by Supervisor Degear on December 28, 2011.**

**ADOPTED: AYES – 1335 NAYS – 0 ABSENT – 165 (Monforte, Coye)**

#### **RESOLUTIONS**

**By Supervisor Bargabos:**

#### **RESOLUTION NO. 3-12**

#### **RESOLUTION OF APPRECIATION – RETIREE RECOGNITION**

**WHEREAS**, the Madison County Board of Supervisors believes that County employees should be recognized for their faithful service to the public; and

**WHEREAS**, recognition of the distinguished service of certain County employees with upcoming retirements is in order,

**NOW, THEREFORE, BE IT RESOLVED** that the Madison County Board of Supervisors hereby recognizes the dedicated contributions of Eric Howard and Joseph Loosman, Jr. upon their retirement.

Eric C. Howard	Sheriff's	1978 - 2011
Joseph W. Loosman, Jr.	Highway	2001 - 2011

**ADOPTED: AYES – 1335 NAYS – 0 ABSENT – 165 (Monforte, Coye)**

#### **RESOLUTION NO. 4-12**

#### **APPOINTING A COUNTY ATTORNEY**

**RESOLVED**, pursuant to Section 500 of the County Law, that S. John Campanie be and he hereby is reappointed as County Attorney of Madison County to serve for the life of this Board.

**ADOPTED: AYES – 1335 NAYS – 0 ABSENT – 165 (Monforte, Coye)**

#### **RESOLUTION NO. 5-12**

#### **APPOINTING A CLERK TO THE BOARD OF SUPERVISORS**

**RESOLVED**, pursuant to Section 47 of the County Law, that Cindy Urtz be and she is hereby reappointed as Clerk to this Board, to serve for the life of this Board and until her successor is appointed and shall have qualified.

**ADOPTED: AYES – 1335 NAYS – 0 ABSENT – 165 (Monforte, Coye)**

#### **RESOLUTION NO. 6-12**

#### **DESIGNATING DISPOSAL OF OBSOLETE AND/OR SURPLUS COUNTY PERSONAL PROPERTY**

**WHEREAS**, in accordance with the Madison County disposal of Obsolete and/or Surplus County Personal Property Policy and Procedures, County Personal Property is required to be declared obsolete and/or surplus by the Board of Supervisors; and

**WHEREAS**, the current list of County Personal Property waiting obsolete and/or surplus designation is attached.

**NOW, THEREFORE, BE IT RESOLVED,** the Board of Supervisors declares the list of said items as obsolete and/or surplus.

<u>ITEM</u>	<u>DEPARTMENT</u>	<u>MILEAGE</u>	<u>CONDITION</u>
1997 Chevy Lumina	Sheriff	116,354	Poor, no brakes, airbag light on, oil leaks, blown brake line, tires go flat
1997 Chevy Lumina	Sheriff	111,868	Poor, ABS light on, airbag light on, engine knocks, oil leaks, tires go flat
1998 Chevy Malibu	Public Health	100,653	Fair/Good, transmission Slips, left rear rusted
1998 Chevy Malibu	Public Health	82,143	Fair/Good, needs battery, some rust on body, under body rusty
2004 Chevy Cavalier	Public Health	106,185	Poor/Good, body is rusty
2004 Chevy Cavalier	Public Health	70,983	Fair/Good, some body rust
1998 Chevy Lumina	Public Health	105,875	Poor/Fair, engine oil leaks, Rusty frame
2001 Chevy Cavalier	Public Health	113,490	Poor/Fair, rocker panels rusted, body rust
2001 Chevy Cavalier	Public Health	85,181	Poor/Fair, rusty frame & body
2002 Jeep Liberty	District Attorney	45,937	Good, check engine light On, small hole in drivers driver's seat and floor mat
1998 Chevy Lumina	Sheriff	96,146	No brakes, bad battery, very rusty

**ADOPTED: AYES – 1335 NAYS – 0 ABSENT – 165 (Monforte, Coye)**

**RESOLUTION NO. 7-12**

**DESIGNATING NEWSPAPERS FOR 2012**

**WHEREAS,** Subdivision 2 of Section 214 of the County Law states that the Board of Supervisors shall annually designate two newspapers to publish local laws, notices and other matters required by law to be published; and

**WHEREAS,** in designating such newspapers, “. . .consideration shall be given to those newspapers [with] general circulation throughout the county”; and

**WHEREAS,** Subdivision 1 of Section 214 of County Law requires that a majority of the members of the Board of Supervisors from each party designate

a newspaper for the publication for concurrent resolutions, election notices issued by the secretary of state, and the official canvass; and

**WHEREAS**, a majority of the members of the Board of Supervisors from each party have designated the *Oneida Daily Dispatch* and the *Madison County Courier* as the papers to publish the concurrent resolutions, the election notices issued by the secretary of state, and the official canvass;

**NOW THEREFORE BE IT RESOLVED THAT** the Board of Supervisors hereby designates the following newspapers for the following official publications:

<b>Concurrent Resolutions</b>	<b><i>Oneida Daily Dispatch</i></b> <b><i>Madison County Courier</i></b>
<b>Official Canvass</b>	<b><i>Oneida Daily Dispatch</i></b> <b><i>Madison County Courier</i></b>
<b>Election Notices</b>	<b><i>Oneida Daily Dispatch</i></b> <b><i>Madison County Courier</i></b>
<b>Official Notices</b>	<b><i>Oneida Daily Dispatch</i></b> <b><i>Madison County Courier</i></b>
<b>Local Laws, Notices, and other matters required by law to be published</b>	<b><i>Oneida Daily Dispatch</i></b> <b><i>Madison County Courier</i></b>

**BE IT FURTHER RESOLVED**, that a copy of each County legal advertisement shall be distributed by the official County newspapers to all of the following located in Madison County: Town Clerks, Village Clerks, City Clerks, Public Libraries and Reading Centers, County Clerk, Clerk of the Board of Supervisors, County Veterans and County Board of Elections.

**ADOPTED: AYES – 1335 NAYS – 0 ABSENT – 165 (Monforte, Coye)**

**By Supervisor Salka:**

**RESOLUTION NO. 8-12**

**RE-APPOINTING MEMBER OF THE COMMUNITY SERVICES BOARD**

**WHEREAS**, the Madison County Board of Supervisors must approve the appointment of the members of the Community Services Board which oversees the Madison County Mental Health Department; and

**WHEREAS**, the term of one member of the Community Services Board expires on 2/29/2012; and

**WHEREAS**, the member has served the community well and desires to continue to serve as a member of this Board, and the membership of the Community Services Board has recommended that she be re-appointed by the Board of Supervisors;

**NOW, THEREFORE BE IT RESOLVED**, that **Mary E. Patricia, 245 North Street, Oneida, New York** be re-appointed to a four year term, March 1, 2012 through February 29, 2016.

**ADOPTED: AYES – 1335 NAYS – 0 ABSENT – 165 (Monforte, Coye)**

**RESOLUTION NO. 9-12**

**RE-APPOINTING MEMBERS TO THE MADISON COUNTY YOUTH BOARD**

**WHEREAS**, the Madison County Board of Supervisors must approve the appointment of members to the Madison County Youth Board, which acts as a community advisory board to the Madison County Youth Bureau; and

**WHEREAS**, the following individuals have been recommended by the membership of the Madison County Youth Board for re-appointment to the Youth Board and have been approved by the Social & Mental Health Services Committee;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board of Supervisors do hereby re-appoint **James Yonai, Ph.D.**, Madison County Mental Health Dept.; **Dawn Post**, Canastota; **Jill Moore**, Madison County Probation Dept.; **Ronald Cary**, Canastota, and **Bud Ballinger, Ph.D.**, Hamilton to the Madison County Youth Board for 2 year terms commencing on January 1, 2012 and expiring on December 31, 2013.

**ADOPTED: AYES – 1335 NAYS – 0 ABSENT – 165 (Monforte, Coye)**

**By Supervisor Ball:**

**RESOLUTION NO. 10-12**

**AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT**

**WHEREAS**, Madison County has been awarded grant monies by the New York State Office of Homeland Security from appropriations authorized by Congress under the FFY 2009 and FFY 2010 State Homeland Security Grant Program and

**WHEREAS**, these funds provide 100% federal reimbursement of eligible costs incurred in the effort to train first responders and to exercise emergency incident response planning documents dealing specifically with terrorism and weapons of mass destruction, and

**WHEREAS:** an RFP process was undertaken by the Office of Emergency Preparedness to seek competitive proposals to provide the professional services necessary to accomplish its programmatic objectives as part of on-going New York State department of Homeland Security and Emergency Services grant programs, and

**WHEREAS,** Michael Sudol of Safety First Training and Consulting, has the requisite training and expertise to provide the specialized services required of this planning, training and exercise program; and

**WHEREAS,** this agreement shall become effective on January 4, 2012 and expire on December 31, 2013

**NOW THEREFORE BE IT RESOLVED,** that the Chairman of the Board of Supervisors be authorized to extend an existing agreement with Safety First Training and Consulting at a cost of \$18,750 per annum ( a copy of which is on file with the Clerk of the Board ) to perform the required services.

**ADOPTED: AYES – 1335 NAYS – 0 ABSENT – 165 (Monforte, Coye)**

**By Supervisor Cary:**

**RESOLUTION NO. 11-12**

**ADOPTING THE INCLUSION OF CERTAIN PARCELS OF PREDOMINATELY AGRICULTURAL LAND IN CERTIFIED AGRICULTURAL DISTRICTS**

**WHEREAS,** pursuant to the provisions contained in Section 303B of the New York State Agricultural Districts Law, and during two annual thirty-day periods designated for the purpose, Madison County has received requests from five property owners for the addition of property belonging to them be added to a nearby existing agricultural district; and

**WHEREAS,** Madison County has undertaken a review process pursuant to Section 303B of the New York State Agricultural Districts Law; and

**WHEREAS,** the Madison County Agricultural and Farmland Protection Board has reported that the property of these landowners consists of predominately viable agricultural land, as defined in Section 301 (7) of the New York State Agricultural Districts Law; and

**WHEREAS,** the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within those existing agricultural districts;

**WHEREAS,** the Madison County Board of Supervisors have declared themselves Lead Agency for the environmental review; and

**WHEREAS,** the Madison County Board of Supervisors, after review and recommendation by the Madison County Planning Department, have determined that the

inclusion of these parcels will not have a significant adverse impact on the environment and therefore an Environmental Impact Statement will not be required;

**NOW, THEREFORE BE IT RESOLVED**, that the following properties be approved for inclusion in Madison County Agricultural Districts 2:

Parcel: 37.17-1-38	Jeffrey C. Smith	T. Lenox	5.2 ac
Parcel: 44.-1-47	Jeffrey C. Smith	T. Lenox	43.76 ac
Parcel: 37.-3-39.3	David Ball	C. Oneida	4.35 ac
Parcel: 36.-1-45.2	David Ball	T. Lenox	35.04ac
Parcel: 28.-2-41	David Ball	T. Lenox	14.92ac; and

**BE IT FURTHER RESOLVED**, that the following properties be approved for inclusion in Madison County Agricultural District 5:

Parcel: 203.-1-1	Dennis Owens	T. Brookfield	35.74ac
Parcel: 188.-1-1	Dennis Owens	T. Brookfield	185.90ac
Parcel: 188.-1-4	Dennis Owens	T. Brookfield	60.32ac
Parcel: 202.-1-24.1	Dennis Owens	T. Brookfield	28.84ac
Parcel: 173.-1-10	Dennis Owens	T. Brookfield	60.05ac
Parcel: 173.-1-14	Dennis Owens	T. Brookfield	69.58ac
Parcel: 173.-1-12.2	Dennis Owens	T. Brookfield	13.51ac
Parcel: 202.-1-24	Dennis Owens	T. Brookfield	19.59ac
Parcel: 188.-1-14	Dennis Owens	T. Brookfield	13.45ac
Parcel: 161.9-1-32.1	Tim & Melissa Glisson	T..DeRuyter	3.03ac
Parcel: 161.-1-2.321	Tim & Melissa Glisson	T. DeRuyter	3.03ac
Parcel: 161.-1-2.31	Tim & Melissa Glisson	T. DeRuyter	50.67ac; and

**BE IT FURTHER RESOLVED**, that the following properties be approved for inclusion in Madison County Agricultural District 7:

Parcel: 118.-1-48	James & Nicole McLean	T.Cazenovia	34ac
Parcel: 110.-2-40.12	David Jones	T.Nelson	96.5ac
Parcel: 110.-2-40.1	David Jones	T.Nelson	8.29ac; and

**BE IT FURTHER RESOLVED**, that the following properties be approved for inclusion in Madison County Agricultural District 9:

Parcel: 67.-1-1.1	David & Penelope Hazer	T.Cazenovia	8.021ac
Parcel: 57.-1-14-1	David & Penelope Hazer	T.Sullivan	4.514ac; and

**BE IT FURTHER RESOLVED**, that the following properties be approved for inclusion in Madison County Agricultural District 11:

Parcel: 150.-2-8	Sanderson Sheep Farm LLC c/o Kevin Pace; and	T.Erieville	60.64 ac
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**BE IT FURTHER RESOLVED**, that the following properties be approved for inclusion in Madison County Agricultural District 12:

Parcel: 97.-1-21.2	Christina Jacobs	T.Nelson	70.41 ac; and
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**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Commissioner of the NYS Department of Agricultural and Markets for his action.

**ADOPTED: AYES – 1294 NAYS – 0 ABSTAIN – 41 (Ball) ABSENT – 165  
(Monforte, Coye)**

**RESOLUTION NO. 12-12**

**AUTHORIZING THE RECERTIFICATION OF AGRICULTURAL DISTRICT # 2  
IN MADISON COUNTY**

**WHEREAS**, pursuant to the provisions contained in Article 25AA, Section 303 of the New York State Agriculture and Markets Law, Agricultural District #2 located in the Towns of Sullivan, Lenox, Lincoln, Stockbridge, Smithfield, Fenner, Cazenovia, Nelson, and the City of Oneida is under review for modification and recertification; and

**WHEREAS**, Madison County has undertaken a review process pursuant to the Article 25AA of the New York State Agriculture and Markets Law; and

**WHEREAS**, the Madison County Agricultural and Farmland Protection Board and the Madison County Planning Committee have met and recommend to the Board of Supervisors the recertification of Agricultural District #2 as modified; and

**WHEREAS**, the recertification of District 2 is in accordance with the approved Ag District consolidation efforts approved by the Board in October, 2010; and

**WHEREAS**, the recertification of the District is an unlisted action under the State Environmental Quality Review Act; and

**WHEREAS**, the Madison County Board of Supervisors have declared themselves Lead Agency for the environmental review; and

**WHEREAS**, the Madison County Board of Supervisors, after review and recommendation by the Madison County Planning Department, have determined that the recertification as modified will not have a significant adverse impact on the environment and therefore an Environmental Impact Statement will not be required;

**NOW, THEREFORE BE IT RESOLVED**, that Agricultural District #2 be approved for recertification as modified, a copy of such modification being on file with the Clerk of this Board; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Commissioner of the NYS Department of Agriculture and Markets for his action.

**ADOPTED: AYES – 1335 NAYS - 0 ABSENT – 165 (Monforte, Coye)**

**By Supervisor Salka:**

**RESOLUTION NO. 13-12**

**AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO ENTER INTO AN AGREEMENT WITH L. WOERNER, INC., d/b/a HCR**

**WHEREAS**, L. Woerner, Inc., d/b/a HCR provides home care nursing services of benefit to Madison County and its residents; and

**WHEREAS**, the Madison County Department of Health has space available on a monthly basis for a set fee; and

**WHEREAS**, the County Department of Health and L. Woerner, Inc., d/b/a HCR have agreed to a license agreement for the use of 1,200 square feet of floor space in the County Department of Health's office at the sum of \$1,370.00 per month,

**WHEREAS**, this agreement shall be for a one month period, with a monthly option to renew, and with the start date effective upon official notice by the New York State Department of Health for L. Woerner, Inc., d/b/a HCR to operate a CHHA/LTHHCP in Madison County, and

**WHEREAS**, the Public Health Services Committee feel it most expeditious to enter into an License Agreement with L. Woerner, Inc., d/b/a HCR; and

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board of Supervisors be and is hereby authorized to enter into a License Agreement with L. Woerner, Inc., d/b/a HCR, as is on file with the Clerk of the Board.

**ADOPTED: AYES – 1308 NAYS – 27 (Bargabos) ABSENT – 165 (Monforte, Coye)**

**PUBLIC COMMENT PERIOD – NO SPEAKERS**

**FELLOW SUPERVISORS, EMPLOYEES, CITIZENS, TAXPAYERS:**

Good afternoon.

2011 has been one of the most challenging years in our County's history; however, we are still here and will continue to be here way into our future. Your Board of Supervisors has taken the challenges of 2011 and turned all of our departments, supervisors and employees into a more cohesive team geared toward a leaner, more consolidated county, with an eye on a lower tax levy and lower tax rate, for the benefit of the county of a whole. As the pie gets smaller and smaller, we will have to be able to form better partnerships, do without and transform if we are going to survive.

New York State passed legislation containing a 2-percent tax levy cap last year. In some ways it has helped – forcing municipalities to hold the line on spending, something Madison County has always done, and to do business differently – but one consequence of the tax cap was the inability of Albany to see that unfunded mandates will crush all localities if something is not done. Albany's failure to react has put us in the spot we are in.

Today, our two state legislators need to know providing Medicaid services only at the minimal federal requirements is a must.

#### **COUNTY CLERK'S OFFICE**

The Madison County Clerk's Office, headed by Ken Kunkel, served more than 5,000 additional constituents in 2011 compared to 2010, with an increase in retention for the county. Mr. Kunkel and the employees of the Clerk's Office and DMV are all models of customer service that we all can be proud of.

The department recently was awarded a \$44,000 New York State Archives grant to install a water sensor system to protect public records; records management innovations are being investigated to further increase efficient and effective customer service and ensure accountability.

#### **BOARD OF ELECTIONS**

The Board of Elections, under the direction of Commissioners Lynne Jones and Laura Costello, works under mostly unfunded mandates created by the need to prepare for and coordinate elections. There are no grants for reimbursement for elections. The department cuts costs where possible by consolidating poll sites, which results in wage savings by requiring fewer inspectors; deploying fewer machines to consolidated districts, ordering fewer ballots as the new system is used and by tracking the number of ballots used each election, which saves .57 cents a ballot.

Continued cost-cutting will be a challenge in 2012, as there will be four more elections than in 2011: three village elections and a presidential primary.

#### **BUILDINGS AND GROUNDS**

The Buildings and Grounds Department through the leadership of Supervisor Kevin Loveless saw the successful completion of several long-planned efforts in 2011, including the second phase of the multi-phase County Office Building parking lot reconstruction and the installation of a floor-to-ceiling counter/window safety barrier in the Treasurer's Office.

With the assistance of Highway Department crews and cooperation of County employees, the repaving project was completed on schedule and with minimal parking inconvenience, and the Highway Department reclaimed materials that can be used in other projects, reducing taxpayer dollars used for road repairs.

Buildings and Grounds also undertook the replacement of buckling carpets in several areas of the County Office Building. All full-time employees reported after hours two Friday evenings to help move furniture and materials from the areas to be re-carpeted and worked with flooring crews through two weekends, with offices being able to reopen for normal business operations on the Monday mornings following the work.

Unexpected service and repairs are the norm for the department, with maintenance crews executing or coordinating emergency repairs of shut-off valves, a Court House bathroom, Public Safety Building pump station, cooling tower replacement at the Department of Social Services, tractor boom, and condensating pump, to name a few.

The department also addressed the snow emergency issue in March, allowing staff to get into their offices to carry out the business of the County.

The department managed to remain within budget despite these unplanned expenses.

In addition to the routine preventive and periodic maintenance schedules followed by Buildings and Grounds staff, the department completed 659 official written work requests as of Dec. 15, 2011.

The Department passed the two-century mark for continuous service among its staff last year, with the seven-member day crew intact since 1995.

In 2012, Buildings and Grounds will maintain its intense high standards of operation while trying to find creative means of reducing the potential impact of rising costs of materials and labor – projected by some vendors to be as much as 40 percent for certain products in the coming year – and a possible supply shortage for some materials.

#### **HIGHWAY DEPARTMENT**

2011 presented the Highway Department Superintendent Joe Wisinski and staff with the same fiscal difficulties as 2009 and 2010. On April 28, severe flooding caused extensive damage to many County and Town roads. Within just a few weeks, damaged waterways and infrastructure were repaired. Later, the Highway Department worked with FEMA to secure \$131,478 in reimbursements related to the flooding event.

As part of a larger County ARRA-funded project, the Wampsville shops' exterior translucent fiberglass wall panels were insulated and covered to protect the building and save on energy costs.

Another major goal was achieved in December, when the Highway Department began the full implementation of shifts for snow removal operations during the 2011-12 season. Also, the number of plow runs in the Morrisville shop was again reduced from 8 to 7 by consolidating existing runs. The changes should result in a reduction in overtime costs, reduced equipment needs, and an increase in service quality.

They also developed a simple computer spreadsheet to track highway construction and maintenance work that can eliminate the costly annual computer software support costs of approximately \$2,800.

Due to the inability of the Federal Government to pass a new long-term transportation bill since 2009, the County Highway department has lacked the necessary funds to repair or replace bridges. For 2012, the Highway Department will be faced with bridge repair issues that will likely force cuts in road maintenance work or lead to possible closure.

The County maintains 438.43 miles of County Highway with 130 Bridges (20 foot span or greater) and 134 Culverts with a 5 foot or greater span length. The estimated value of the bridges and culverts is \$105 million and highways more than \$220 million.

#### **DEPARTMENT OF SOLID WASTE AND SANITATION**

Installation of solar panels on the southern facing slope of the Westside landfill is one of the Department of Solid Waste's biggest accomplishments for 2011. Under the leadership of Jim Zecca, Madison County is the first Municipal Landfill in the United States to incorporate this alternative energy technology on a landfill. The solar panel project was made possible through a \$224,608 grant from the New York State Energy Resource Development Association. The power generated by the solar panels will be used to offset the electrical needs of the ARC Recycling Center.

The entire system is net-metered, meaning that any power produced in excess of the needs of the recycling center will be sold on the grid.

The Department of Solid Waste also completed its plan to cap landfill cells one through four on the west side landfill. The total capping project included approximately eight acres.

Approximately \$300,000 to \$350,000 was shaved off the solar panel and landfill capping projects as a result of in-house-labor and equipment.

The first business to take advantage of the excess heat generated by the Gas-to-Energy plant is Johnson Brother's Lumber of Cazenovia. They plan to utilize the excess heat to dry lumber. In addition, they were recently awarded a \$150,000 by the Central New York Regional Economic Development Council to develop a greenhouse and aquaculture facility. Johnson Brothers will partner with Morrisville State College to construct a demonstration-scale greenhouse and aquaculture facility at the Madison County Agriculture and Renewable Energy Park as an add-on to the company's lumber-drying kilns using renewable resources.

Rather than purchasing a new trash compactor at a cost of \$450,000, the Department of Solid Waste opted to have a certified power train rebuild for its 1997 Landfill Trash Compactor at a cost of \$250,000. The rebuild saved the department \$200,000.

#### **IDA/ECONOMIC DEVELOPMENT**

The Madison County Center for Economic Development helmed by Kipp Hicks has been quite busy in the 2011 calendar year. The draft Long-Term Economic Development Strategic Plan is complete, and awaits finalization for roll-out in 2012. This plan complements the CNY Regional Economic Development plan, a component of the governor's \$1 billion initiative for New York State's future growth.

In serving on the Governor's Regional Economic Development Council, our group was able to secure \$1.7 million for new projects in Madison County. One aspect of that award included renewed funding for the Microenterprise Program; \$200,000 was used to help companies mostly in the southern portion of Madison County.

In conjunction with the Planning Department, the \$200,000 microenterprise grant/loan program created at least 6 new jobs, saw the creation of 5 new businesses in Madison County and the expansion of 1 existing business. The new round of \$200,000 in funding will continue to assist the small business community, especially those in the rural areas of the County, which historically haven't seen as much economic activity as the rest of the County.

The Industrial Development Agency was able to assist in CCI, Inc./Abscope Environmental's expansion plans. They expect to add 65 new jobs over the next 5 years, 90 percent of which will pay more than \$40,000 annually plus benefits.

Cazenovia Equipment, which experienced a devastating fire earlier this year, has already begun the construction of a new facility at the Trush Business Park. With the IDA's help, they will consolidate administration functions from other locations and add another 16 jobs over the next 5 years. These two projects represent new capital investments exceeding \$4,500,000 here in Madison County.

Other projects in the IDA's pipeline include the Chittenango Pottery and Nice-N-Easy projects in the Town of Sullivan, Owera Vineyards and the Empire Farmstead Brewery in the Town of Cazenovia, and Johnson Brothers Lumber at the ARE Park.

These projects represent 77 new jobs, \$16 million in new construction activity and more than 70,000 square feet of new or renovated space.

Other notable initiatives include securing \$750,000 from the USDA for a livestock processing facility, loaning \$100,000 from our revolving loan fund to Oneida Molded Plastics to allow them to expand.

The groundwork laid in 2011 positions the county for a successful 2012 and more opportunities to diversify our economy, broaden our tax base and create good-paying jobs.

#### **PLANNING DEPARTMENT**

Scott Ingmire, director of the Planning Department, reported the County was able to purchase 5 new public transit vehicles at no cost to Madison County, bringing the fleet to 10 new vehicles since 2010; new routes and schedules were developed for the Madison Transit System, which took effect yesterday. It is the first major revision in at least ten years.

The department also followed through on the first steps toward consolidation of Agricultural Districts, distributing more than 3,000 surveys to properties in District 2. The consolidation down to 4 Districts will be completed by 2013

Two new bathrooms were installed at Nichols Pond Park, representing a major step forward for this park, and bathrooms were installed at the Oxbow Falls disc golf course; with the cooperation of Morrisville State College, a micro-hydro generation system was installed that will power the facility and the surrounding pavilion.

Staff also created a number of aerial imagery-based grazing maps for use on farms utilizing rotational grazing techniques, while producing a 2012 budget that was 9.7% lower than 2011, and 21.9% lower than 2009.

#### **AGRICULTURAL ECONOMIC DEVELOPMENT PROGRAM**

The Ag Economic Development Program saw a change in leadership late last year; new AED Specialist Beth McKellips was appointed to fill the position vacated by Becca Jablonski this fall.

During 2011, the program facilitated the formation of Side Hill Farmers local meat cooperative and assisted in developing a marketing strategy for the co-op; with funding from New York State Department of Agriculture and Markets, a hop specialist was hired to work with hop growers in New York State and to organize the 2011 Fall Hop Conference.

The AED program also assisted Side Hill Farmers in applying and receiving funding through the Central New York Regional Economic Development Council, organized the “Renewable Energy & Your Farm” seminar to raise awareness of renewable energy systems available to farmers and rural landowners, and increased sponsorship and community participation in the fourth annual Open Farm Day.

Program staff also assisted in the successful application for funding to purchase dairy processing equipment to be leased to Kriemhild Dairy Cooperative, another venture that will help get high-quality local products to area markets, one of the primary missions of the AED Program.

#### **E-9-1-1 TELECOMMUNICATIONS**

Site construction for the radio communication upgrade project began in earnest in 2011 with 95 percent of the civil work completed at the 14 tower sites. 9-1-1 Director Paul Hartnett reports that testing of the system's microwave has begun, and build-out is underway on the connection to the master site.

The Board of Supervisors remains vigilant with the challenges of funding the largest capital project in the history of our county. The 9-1-1 Center applied for \$4 million dollars in grant money; late in December, we were notified of a \$1.8 million award.

The system is scheduled to be on line later this year after completion of testing. All Madison County first-responders will receive state-of-the-art equipment and training in this effort.

#### **SHERIFF'S OFFICE**

Sheriff Allen Riley reports that the Corrections Division has moved forward with its paperless project. Lap top computers were purchased and are now being deployed in an effort to replace log books, paper inspection forms and inmate count forms; this will eliminate a minimum of 42 separate documents generated by three shifts on a daily basis and increasing the productivity and efficiency of staff.

Food Service costs were reduced to 98 cents per meal per inmate, per meal, per day; the total area budget was reduced through comprehensive management initiatives.

The re-defined inmate work crew has been concentrating on county projects, including cleaning nearly 70 miles of roads, washing and waxing county fleet vehicles and projects around the Public Safety Building, Child Advocacy Center, municipal sporting fields, various fire departments and town buildings. The weekend work program now reports to the landfill to assist in landfill operations formerly provided by Camp Georgetown inmates.

Video-conferencing was initiated through a joint effort with the Mental Health Department, allowing for routine video conferencing with the facility psychiatrist, increased hours of availability and reduction in inmate transportation and inpatient housing.

The Sheriff's Office acquired through surplus County property a cascade van, which, through the use of inmate work crews, was re-invented into a "new" Evidence and Scene Support Vehicle.

Through a partnership with the U.S. Marshal, we have increased our average daily population of revenue-producing federal inmates from three to fourteen.

The department plans to continue housing Federal inmates to maintain increased revenue levels; maintaining inmate work activities throughout the community; seeking alternative sources of funding for improvements and equipment; and continue reaching out to other organizations fostering mutually beneficial relationships.

The Pistol Permits Unit increased public service hours to five days per week, including early and late hours; due to their efforts, permit applications have increased, while the transaction processing and waiting period has decreased.

#### **STOP DWI IN MADISON COUNTY**

In 2011, Madison County's STOP DWI Program received more than \$210,000 from DWI fines assessed by Madison County Courts. No tax dollars, County, State or Federal were used for the program.

STOP DWI Law Enforcement Agencies have accounted for approximately 305 DWI arrests in Madison County during 2011. The program provides about one-half of the funding for a dedicated Sheriff's Patrol targeting DWI events. Additional money is made available to the Sheriff's Department and to the five local Police Departments in the County to allow for special patrols at times of high DWI incidents.

Three Mental Health programs receive salary support and support of specialized services, all designed to develop and monitor state-mandated deterrent programs regarding DWI and related offenses.

In 2011, 38 new individuals were sentenced to Probation as a result of DWI convictions in Madison County. In addition, 106 individuals were sentenced to Conditional Discharge sentences. Probation and conditional discharge defendants were required to install Ignition Interlock Devices. Madison County received an additional \$16,000 in 2011 from the Governor's Traffic Safety Committee to offset some of the costs of monitoring. STOP DWI also provided funds to offset some of the costs of monitoring and coordinating the data collection and state billing to receive the grant funds, which were distributed to the District Attorney's Office and to the Probation Department in addition to STOP DWI funds.

#### **PROBATION DEPARTMENT**

During 2011, with the professional and financial assistance of the U.S. Marshals, we were able to return two Level 3 sex offender probation absconders to their respective courts to answer their probation violations.

#### **WEIGHTS AND MEASURES**

1,682 out of 1,700 devices were tested during 327 inspections performed at 227 establishments in the county, including 62 follow-up and unplanned or requested inspections; 93% of devices tested were found to be in compliance/tolerance; 7 complaints were received, investigated and resolved (5 involving gas pumps and 1 involving a quantity of firewood delivered), 1 failure to notify and use of illegal scale.

#### **DEPARTMENT OF HEALTH**

In 2011, we introduced a vision for a Healthy Madison County, a place where people can thrive. The ongoing and increasingly complex challenges occurring in the home care industry effectively removed county-run home care programs as a provider of these services, not only in Madison County but across New York State.

In light of these challenges, Madison County has fulfilled our responsibility and ensured that quality home care services continue to be provided to our residents by bringing in HCR, a nationally recognized top-ranked home care agency. Our primary goal is to make sure our residents receive the care they need. Despite the obstacles that have been placed before us, such as the State's baffling adoption of emergency regulations for home care agencies, Madison County has achieved this goal. Home care services were uninterrupted during this transition, and the same familiar nurses are now providing care to our residents as HCR employees.

The Health Department has been working with the Planning Department and town officials to advance smart and healthy sustainable economic growth and development activities in Madison County.

#### **DEPARTMENT OF SOCIAL SERVICES**

The Department of Social Services under the leadership of Michael Fitzgerald again had a busy year in 2011 with the local economy still slumping and the neediest of our citizenry turning to the agency to support their families.

The Food Stamp caseload continues to grow with more individuals and families applying. Applications have risen to more than 200 monthly. Nearly 4,000 families are receiving Food Stamps in Madison County, with more than \$1 million in benefits being issued every month.

This year, we also saw more families and individuals utilizing the online application through the “myBenefits” system. In 2011, 739 applications were received through this online tool.

On a positive note, Temporary Assistance caseloads decreased for the first time in several years; while there was a slight decrease of about 35 cases over the year, we are still seeing about 340 families in receipt of cash assistance each month.

Finally, the Mobile Work Crews had a great year helping out the municipalities and local not-for-profits in our community and have a permanent new worksite with the Madison County Office for the Aging, where recipients are learning valuable skills in food services.

Nearly 3,000 families received HEAP last year, an increase of nearly 100 families. In total, there were approximately 7,500 regular and emergency benefits issued for the season. Nearly \$4.1 million was issued to HEAP households.

For the HEAP season so far, there have been 3,934 regular benefits issued, with emergency benefits to begin today.

Despite the economy, there has been an increase of about 2 percent in total child support collections, topping \$6.1 million collected through the end of November.

There was an increase in active Medicaid cases; as the single largest unfunded mandate in the county at more than \$11.3 million, the governor and legislature must honor the promise made when the property tax cap was enacted and provide mandate relief to all New York counties by passing bipartisan legislation that finally relieves the property taxpayers of this unsustainable albatross.

DSS received 1,472 Child Protective reports by mid-December, with 253 of them being handled by the Family Assessment Response and 1,219 having a traditional investigation. Of those handled by investigation, 90 cases were assigned to the County’s Multidisciplinary Team due to issues of severe physical abuse or sexual abuse.

DSS Foster Care and Prevent have also been busy this year, handling an average of 100 preventive services cases per month, higher than in previous years, along with PINS diversion and foster care cases. One indication that preventive services are working well is a decline in the number of children in foster care, now averaging 50 children per month – half the number of children in care a few years ago.

In a few instances, children are not able to safely stay with their biological families and, for six of those children this year, we have been able to find them permanent homes through adoption. All six children were adopted by their foster parents, which provide wonderful stability for the children. There is always a need for more foster families willing to open their hearts and their homes to children in need; often this need is for a temporary period of time, but when it needs to be permanent, it is nice so many foster families are willing to make that commitment.

This year, DSS conducted a Request for Proposal process to help determine if we had the best possible service at the best possible price. This process led to cost savings of \$100,000 annually over the next three years.

DSS was able to return \$134,358 to the taxpayers of Madison County by securing funds through probate, liens and other available sources of funds that are rightfully owed.

Through our transportation manager, about 15,000 trips for medical appointments were arranged in 2011. Of those trips, 55 percent were to providers within Madison County. We the change in the bus schedule will result in a reduction of Medicaid transportation costs.

DSS is now serving one-quarter of the county's population through the variety of programs offered by DSS.

#### **YOUTH BUREAU**

In spring 2011, Youth Bureau Director Joanne Eddy released the 2010 TAP Survey Report, which highlighted the results of the TAP Survey administered to 2,613 students in grades 7 through 12 in nine Madison County school districts. The survey gathered data regarding youth behaviors, concerns and opinions on a variety of topics and provided a valuable teen perspective on important issues.

The Youth Bureau administers this survey every 4 years, and its results are widely used for program planning and development and grant writing.

Despite a 25% reduction in state funding for programs and services for children and youth, the Youth Bureau maximized the funding it received by partnering with our community-based organizations to provide cost-effective primary prevention and youth development programs such as mentoring and after-school programs, teen counseling services, school-based substance abuse prevention programs, children's performing arts and summer recreation programs, and temporary housing and case management services. These programs impacted more than 5,000 youth in 2011.

The Youth Bureau continued to coordinate job shadowing opportunities for high school students on the County Campus to help them learn more about County government and the variety of services it provides; 29 students representing five Madison County school districts participated in job shadowing experiences in 2011; 8 County departments participated, providing students with exposure to 15 different career tracks.

The Youth Bureau expanded its direct service component in 2011, providing skill development activities and instruction to 60 students in the areas of leadership, decision making, motivation and personal responsibility; they also conducted presentations on career exploration, youth facilitation skills, and public speaking to an additional 488 students.

#### **VETERANS**

Our Veterans Service Agency continues to advise veterans and their families of their earned Federal, State and Local benefits. Under the direction of Donald Smith, staff assisted them in applying for medical care, disability compensation, pension, rehabilitation, education, medals, burial and discount/ exemption opportunities. These programs, especially receiving medals/awards, help restore pride and dignity to the veterans to whom we owe a debt of gratitude.

During 2011, their tireless pursuit of claims and appeals on behalf of our veterans has resulted in several deserving Korean, Vietnam and Gulf War veteran clients being granted retroactive disability compensation awards with monthly payments thereafter.

The claims applications and maintenance efforts of this small office result in our resident veterans or eligible dependents receiving \$21.3 million in Federal benefit funds annually.

We added 130 new veterans during 2011 and with the drawdown of troops in Iraq, it is expected there will be an increased number of veterans seeking these services in future years.

### **PERSONNEL**

Personnel Director Eileen Zehr reports that in 2011, the Madison County Personnel Department administered civil service for more than 1,600 public-sector employees in the County and in our towns, villages and school districts. In 2011 we administered 48 civil service exams to 252 people, and provided orientations for 34 new employees.

The Personnel Department provided several mandatory training sessions for all County employees. They continue to develop programs to ensure compliance with all state and federal mandates.

Members of the Personnel Department played a part in the successful transition of our County's health insurance and organized the Employee Recognition Program last fall, recognizing 60 long-term employees who reached 10-, 15-, 20-, 25-, 30- and 35-year anniversaries with the County.

### **INFORMATION TECHNOLOGIES**

Over the past 9 months, the Information Technology Department within Madison County has taken a number of steps under the leadership of Mark Scimone to strengthen the security of the County infrastructure. Regular vulnerability scans are being performed to ensure that the County is appropriately restricting access to County assets.

The IT department has also taken ownership of a new Madison County Domain. As a result, the County can now rely on internal resources to ensure the availability of said domain and not third-party vendors.

Innovative thinking, in conjunction with an IT-wide reorganization, has allowed the department to cut its existing budget by almost 10 percent; additionally, the County is in the process of performing a full-scale website redesign, expected to be completed by July.

Thank you to the entire IT staff for their hard work and diligence to accomplish so much in such a short period of time. They have excelled in providing customer service and support for our County Departments to ensure they can continue to provide services to the residents of Madison County.

## NATIVE AMERICAN AFFAIRS

In providing my state of the county two years ago, I reported that the biggest disappointment of my tenure was – despite our good faith efforts – not being able to come to equitable terms to resolving the many issues with our local Indian tribe. On numerous occasions, offers to resolve disputes on most generous terms have been extended to the Oneida Indian Nation – including (more than 10 years ago) the proposed payment of hundreds of millions in settlement and the preservation of their casino resort – all to be rejected or countered with unreasonable demands; however, I also advised that we, as a Board, could hold our heads high, knowing we were doing everything we could to stem the tide of Madison County being diminished from the map.

Since my report two years ago, we have continued to meet the challenges, engaging in a multiple-track effort: negotiation, legislation and litigation. We successfully participated with New York State in a negotiation to settle the Stockbridge Munsee Land Claim – with all three parties, State, County and Tribe executing an agreement – only to be rejected by the Department of the Interior at the behest of the Oneida Indian Nation.

We worked with Senator Charles Schumer, our other elected officials, and counties throughout the nation to secure the introduction of legislation to ensure that counties are reimbursed for lost property tax revenue caused by any decision on the part of the federal government to take land into trust on behalf of Native American tribes in New York State, and to block legislation that would overturn an important Supreme Court case and open the floodgates to unrestricted land in trust in New York and throughout this country.

Most notable last year is the success achieved in litigation after many, many years of effort. Among the highlights:

- \* In May, the U.S. Court of Appeals for the Second Circuit determined that the State could enforce the collection of sales tax on sales to non-Indians. Enforcement has begun, with a positive impact on tax collections and the business of non-Indian retailers.

- \* October was a blockbuster month, beginning with the U.S. Supreme Court decision in our favor cementing the complete dismissal of the Oneida Indian Nation’s decades-long land claims against the people of New York. With this dismissal, the title to hundreds of thousands of acres in Central New York is protected, and hundreds of millions of dollars in damages sought were denied.

- \* On October 20, just three days after the U.S. Supreme Court announcement, the U.S. Circuit Court of Appeals reversed a series of decisions of U.S. District Court Judge David Hurd in favor of the Oneida Indian Nation. Those prior decisions had precluded county foreclosure on Oneida Indian Nation properties for failure to pay real property taxes. On Nov. 15, we filed an extensive motion for summary judgment intending to overturn the decision of the U.S. Department of the Interior to take 13,000 acres into trust and largely out of state and local jurisdiction.

We are hopeful of an equal positive result.

While we would prefer not to be involved in litigation, we have no choice but to continue to defend the County and its citizens. Unfortunately, the Oneida Indian Nation’s perspective was summed up in a press release issued after the Supreme Court’s October decision, stating: “This morning’s determination does not change the Oneida Indian Nation’s litigation strategy.”

The Oneida Indian Nation continues to take every possible action to avoid collection and remission of sales and excise taxes on sales to non-Indians, as well as to avoid paying real property taxes to share in the burden of paying for infrastructure and services essential to all citizens of Central New York. Its latest effort is to redraw the U.S. census map to reflect 307,000 acres as present Indian reservation, rather than the 32 acres that has prevailed for decades.

The Oneida Indian Nation choice to demand more and to continue its litigation strategy has left the state and counties with no other choice: this county will continue to defend the interests of its citizens and taxpayers and will rise to the challenge.

On that note, I would like to personally thank John Campanie and the County Attorney's Office and staff for all the hard work they do. This year, we saw the hire of Jeff Aumell, former District Attorney for Madison County, and he has been a great asset to the department. Jeff was able to head right to work his first day without missing a beat or having to be trained.

Your County Attorneys really drop everything and take care of a lot of little things when they need to be attended to; people do not see much of their work, but, as in the beginning of this state of the county address, it is customer service that makes Madison County the best.

#### **CONCLUSION**

In closing, for 2012, we will stay the course: we will be shedding or consolidating some departments; we will also be consolidating department heads. The goal will be 15 department heads when the consolidation is complete. When we are done, we will all be able to show and saw we weathered the storm, and the County is better for it.

The Rome paper published a quote of mine as 22nd on the list of quotes for the Year 2011 in review: "People cannot depend on government for everything."

How true this is.

We need to get back to that. Pension reform is greatly needed in 2012; anyone who does not understand that we cannot sustain a pension like we have in New York State without reform into a 401-style plan simply does not understand basic – and I mean basic – economics.

New York State government cannot push its programs – Medicaid, pension, animal control, building codes – down onto the localities and expect lower property taxes. It is just not going to be done without gutting local government, as in sheriff's departments, highway departments, and not-for-profits, where the meat and potatoes of a community are in its endless stream of volunteers.

In another vein, in 2012, I would like to see our relationships with localities improve, in particular with the City of Oneida. I believe that when the only city in Madison County thrives, we all prosper, and it needs to be understood that it works the other way around, also.

For 2012, let's get to work; the world will not end. Let's do this as a team.

Thank you, all.

**At this time Chairman Becker announced that DeRuyter Supervisor Dan Degear will serve as the Vice Chairman of the Board. He then handed out new committee assignments for 2012.**

**On motion by Supervisor Degear seconded by Supervisor Reinhardt the meeting was adjourned.**